THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION Nos.25656,26090, 26091 and 26093 of 2006

Date: 22nd December 2006

W.P.NO.25656 OF 2006:

Between:
Mohd. Yousuf Sab, son of Ismail,
Aged 44 years, Occ: Small Petty business,
R/o H.No.18-31, Mamindlawada,
Jammikunta Road, Huzurabad,
Karimnagar.

… Petitioner.

And

1. The Panchayat Secretary,
   Gram Panchayat Huzurabad,
   Mandal Huzurabad,
   Karimnagar District and 2 others.

… Respondents.

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W.P.NO.26090 OF 2006:

Between:
SriM.D.Harshad, s/o Babu Mia,
Aged 28 years, Occ: Small Petty Business,
R/o H.No.18-196,Mamindlawada,
Jammikunta Road, Huzurabad,
Karimnagar District.

… Petitioner.

And

1. The Panchayat Secretary,
   Gram Panchayat Huzurabad,
   Mandal Huzurabad,
   Karimnagar District and 2 others.

… Respondents.

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W.P.NO.26091 OF 2006:

Between:
Sri Rasheed Miya, s/o Md. Moulana (late),
H.No.18-195, Mamindlawada,
Jammikunta Road, Huzurabad,
Karimnagar District.

… Petitioner.

And

1. The Panchayat Secretary,
   Gram Panchayat Huzurabad,
   Mandal Huzurabad,
   Karimnagar District and 2 others.

… Respondents.

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W.P.NO.26093 OF 2006

Between:
Salman, s/o Sri Md. Khaja Miya,
Aged 21 years, H.No.18-195,
Mamindlawada, Jammikunta Road,
Huzurabad, Karimnagar District.

… Petitioner.

And

1. The Panchayat Secretary,
   Gram Panchayat Huzurabad,
   Mandal Huzurabad,
   Karimnagar District and 2 others.

… Respondents.

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COMMON ORDER:

Since the questions of fact and law that arise for consideration in these four writ petitions are common, they are being disposed of by this common order.

2. In W.P.No.25656 of 2006, which came up on 11.12.2006 Sri R.Prem Sagar, learned Standing Counsel had taken notice and requested time to get instructions. The matters W.P.Nos.26090 of 2006, 26091 of 2006 and 26093 of 2006 came up on 15.12.2006 and all these matters are appearing in the list for admission today.

3. All the four writ petitions are filed for a writ of Mandamus declaring action of the respondents in interfering with the day-to-day business of the petitioners under the guise of the impugned notices dated 01.11.2006 issued by the first respondent and threatening to stop their business, though the petitioners are willing to shift their slaughtering activities to a far away place as directed by the first respondent in the impugned notice, as illegal, arbitrary and violative of Articles 19(g) and 21 of the Constitution of India and consequently direct the respondents not to interfere with the day-to-day business of the petitioners and pass such

other suitable orders.

4. Sri R.Prem Sagar, learned Standing Counsel, on instructions, would submit that the Gram Panchayat has no objection if the respective petitioners carry on their day-to-day business, but however, the learned Standing Counsel would submit that the slaughtering activities of the animals cannot be carried out in the residential area, since it would cause lot of inconvenience to the public at the relevant places.

5. Sri P.Lakshmana Rao, learned counsel appearing for the respective petitioners in these writ petitions would submit that the respondents in these writ petitions are attempting to interfere with the day-to-day business of the respective petitioners under the guise of the impugned notices dated 01.11.2006 which are challenged in these writ petitions. The learned counsel also would submit that the respective petitioners are willing to shift the slaughtering activities to a far away place as may be directed by the first respondent and in view of the same, the respondents may be directed not to interfere with their day-to-day business in the respective premises in question.

6. Written instructions are placed before this Court. It is stated that the respective petitioners are having valid licenses to transact day-to-day business of selling beef etc., at these specified places. However, it is stated in the written instructions that keeping in view the public health the slaughtering activities to be shifted to a place near Madal Cheruvu. In the written instructions

several reasons had been specified that such slaughtering activities cannot be permitted in the respective specified places in the residential locality. The writ petitioners averred several factual details in paragraphs 2 to 9 of the affidavits filed in support of the respective writ petitions and also raised several grounds. Specific stand is taken that as directed in the impugned notices the respective petitioners are ready and willing to shift their slaughtering activities to a far away place i.e., Madal Cheruvu area.

7. In the light of the specific stand taken by the respective petitioners that they have no objection to shift the slaughtering activities to a far away place i.e., Madal Cheruvu area and also in the light of the stand taken by the learned Standing Counsel Sri R.Prem Sagar representing Gram Panchayat, this Court is of the considered opinion that the writ petition be disposed of permitting the respective petitioners to carry on their day-to-day business activities of selling beef etc., only at the respective premises and further it is made clear that they are in no way permitted to carry on slaughtering activities in the residential area and to carry on any such slaughtering activities at a far away place i.e., Madal Cheruvu or otherwise.

8. With the above directions these writ petitions are disposed of. No order as to costs.

P.S.NARAYANA, J.

Date: 21st December 2006.

BSB